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Dated: January 31, 2005

Signature:

Michael J. Doherty
(Michael J. Doherty)

Docket No.: SPINE 3.0-454
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Zubok et al.

Application No.: 10/782,982

Confirmation No.: 7133

Filed: February 20, 2004

Art Unit: 3738

For: ARTIFICIAL INTERVERTEBRAL DISC
HAVING A BORED SEMISPHERICAL
BEARING WITH A COMPRESSION
LOCKING POST AND RETAINING CAPS

Examiner: Not Yet Assigned

NOTIFICATION OF LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Assignee, SpineCore, Inc., hereby notifies the Patent and Trademark Office that it is not entitled to status as a small entity, and that the claim for small entity status filed by the Applicant is hereby withdrawn.

Dated: January 31, 2005

Respectfully submitted,

By *Michael J. Doherty*

Michael J. Doherty

Registration No.: 40,592

LERNER, DAVID, LITTENBERG,
KRUMHOLZ & MENTLIK, LLP

600 South Avenue West
Westfield, New Jersey 07090

(908) 654-5000

Attorney for Applicant



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: Rafail Zubok, Michael W. Dudasik, and Joseph P. ErricoApplication No./Patent No.: 10/782,982 Filed/Issue Date: February 20, 2004Entitled: ARTIFICIAL INTERVERTEBRAL DISC HAVING A BORED SEMISPHERICAL BEARING WITH A COMPRESSION LOCKING POST AND RETAINING CAPSSpineCore, Inc., a Corporation
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.

The extent (by percentage) of its ownership interest is _____ %

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.☐ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Michael J. Doherty
SignatureJanuary 31, 2005
DateMICHAEL J. DOHERTY
Printed or Typed Name(908) 518-6337
Telephone NumberAuthorized Signer for Assignee
Title



PTO/SB/82 (09-03)
Approved for use through 11/30/2005 OMB 0651-0035
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE
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REVOCATION OF POWER OF ATTORNEY WITH NEW POWER OF ATTORNEY AND CHANGE OF CORRESPONDENCE ADDRESS	Application Number	10/782,982
	Filing Date	February 20, 2004
	First Named Inventor	Rafail Zubok
	Art Unit	3738
	Examiner Name	
	Attorney Docket Number	SPINE 3.0-454

I hereby revoke all previous powers of attorney given in the above-identified application.

☐ A Power of Attorney is submitted herewith.

OR

☒ I hereby appoint the practitioners associated with the Customer Number: 000530

☒ Please change the correspondence address for the above-identified application to:

☒ The address associated with Customer Number: 000530

OR

☐ Firm or Individual Name

Address

City

Country

State

Zip

Telephone

Fax

I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

SIGNATURE of Applicant or Assignee of Record

Name Joseph P. Errico, SpineCore, Inc.

Signature

Date

9/21/04

Telephone

908-522-3460

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐ *Total of 1 forms are submitted.

Assignment of Patent Rights

The parties to this assignment are listed below and if there is more than one Assignor or Assignee, the words "Assignor" and "Assignee" shall include them:

Assignors: Rafail Zubok having an address at 222 Spruce Street, Midland Park, NJ 07432; Michael W. Dudasik having an address at 29 Daily Street, Nutley, NJ 07110; and Joseph P. Errico having an address at 29 Deer Park Circle, Green Brook, NJ 08812.

Assignee: SpineCore, Inc. having an address at 475 Springfield Avenue, 4th Floor, Summit, NJ 07901.

This assignment relates to the following patent application and/or issued patent, which is hereinafter referred to as "the Patent":

☐ a United States patent application signed by Assignor on _____, 2004, and entitled _____; or

☒ a United States patent application filed in the U.S. Patent and Trademark Office on February 20, 2004, Application Serial No. 10/782,982, entitled ARTIFICIAL INTERVERTEBRAL DISC HAVING A BORED SEMISPHERICAL BEARING WITH A COMPRESSION LOCKING POST AND RETAINING CAPS or

☐ an issued United States patent, issued on _____, 2004, under United States Patent No. _____.

Assignor has received Ten Dollars (\$10.00) and other good and valuable consideration for this assignment. Assignor assigns to Assignee all of Assignor's right, title and interest in the Patent, the invention described and claimed in the Patent, and all patents that may issue based on the invention and on the Patent in the United States *and in every foreign country*, including the right to enforce the Patent for infringement accrued prior to the effective date of this assignment. *Assignor also assigns to Assignee all priority rights in the Patent.* In those countries where permitted, the Assignor authorizes the Assignee to apply for patents for the invention directly in Assignee's name.** Assignor authorizes the Commissioner of Patents and Trademarks or other governmental authority to issue all patents for the invention directly to Assignee. Assignor states that Assignor has the right to grant to Assignee the rights which are assigned by this assignment. Assignor will sign any additional documents as may be needed to carry out the purpose of this assignment. This assignment is binding on all parties who lawfully succeed to the rights of or take the place of Assignor or Assignee.

The undersigned hereby grant(s) to the firm of Kaplan & Gilman, L.L.P., 900 Route 9 North, Woodbridge, New Jersey 07095, the power to insert on this assignment any further identification of the Patent which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office concerning recordation of this document.

The effective date of this assignment is _____.

SIGNATURE(S)

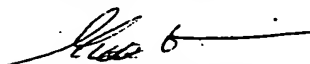
DATE

TYPED OR PRINTED NAME(S)


First Assignor Signature

4/12/04

Rafail Zubok

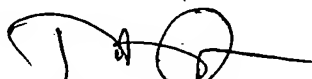

Second Assignor Signature

4/12/04

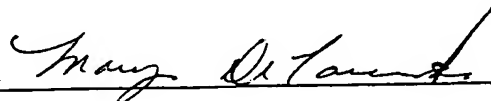
Michael W. Dudasik

Third Assignor Signature

Joseph P. Errico

Witness 

Date 4/12/04

Witness 

Date 4/12/04

* Strike italicized sections only if foreign rights are not intended to be assigned.

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☐ an issued United States patent, issued on _____, 2004, under United States Patent No. _____.

Assignor has received Ten Dollars (\$10.00) and other good and valuable consideration for this assignment. Assignor assigns to Assignee all of Assignor's right, title and interest in the Patent, the invention described and claimed in the Patent, and all patents that may issue based on the invention and on the Patent in the United States and *in every foreign country*, including the right to enforce the Patent for infringement accrued prior to the effective date of this assignment. *Assignor also assigns to Assignee all priority rights in the Patent.* In those countries where permitted, the Assignor authorizes the Assignee to apply for patents for the invention directly in Assignee's name.** Assignor authorizes the Commissioner of Patents and Trademarks or other governmental authority to issue all patents for the invention directly to Assignee. Assignor states that Assignor has the right to grant to Assignee the rights which are assigned by this assignment. Assignor will sign any additional documents as may be needed to carry out the purpose of this assignment. This assignment is binding on all parties who lawfully succeed to the rights of or take the place of Assignor or Assignee.

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The effective date of this assignment is _____.

SIGNATURE(S)

DATE

TYPED OR PRINTED NAME(S)

First Assignor Signature

Rafail Zubok

Second Assignor Signature

Michael W. Dudasik

Third Assignor Signature

Joseph P. Errico

Witness

Date

Witness

Date

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